

## LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

**Planning/Zoning, Land Design & Development Meeting**  
**Tuesday, March 30, 2010**  
**2:15 P.M.**  
**Third Floor, City Hall**

**Present:** Vice Chair: **CM Johnson**  
Members: **CM Stuckel, CM Flood, CM Downard, CM Brent Ackerson and CM Shanklin**

**Absent:** **CM Jon Ackerson (Excused)**

Vice Chairman Dan Johnson, due to the excused absence of Chairman Jon Ackerson, began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

### **Pending Legislation**

**O-65-03-10 AN ORDINANCE CLOSING AN UNNAMED 10-FOOT-WIDE ALLEY FROM ITS TERMINUS WITH 8TH STREET, LOCATED BETWEEN AND PARALLEL TO WEST MARKET STREET AND CONGRESS ALLEY, RUNNING WESTERLY APPROXIMATELY 105.0 FEET BETWEEN 8TH STREET AND 7TH STREET, CONTAINING 1,050 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 13453).**

**Status:-In-Committee**

**Committee:-Planning/Zoning, Land Design & Development**

**Primary Sponsor:-Jon Ackerson**

Motion to approve made by Madonna Flood and seconded by Brent Ackerson.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. This item was on the Planning Commission's Consent Agenda on March 4, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. A power point presentation was given. The following were items of discussion and concern:

- Purpose of closure is to allow for a redevelopment of the property surrounding it in a more typical downtown pattern with a proposed 8 story hotel to be built up to the right-of-way
- 100% adjoining property owners agree
- Respective Agencies agreed

Motion to Amend the Title as follows and making the same changes to the First "Whereas" and in Section I of the ordinance made by Kelly Downard and seconded by Glen Stuckel.

- AN ORDINANCE CLOSING AN UNNAMED 10-FOOT-WIDE ALLEY FROM ITS TERMINUS ON THE WEST SIDE OF ~~WITH~~ 8TH STREET, LOCATED BETWEEN AND PARALLEL TO WEST MARKET STREET AND CONGRESS ALLEY, RUNNING WESTERLY APPROXIMATELY 105.0 FEET BETWEEN 8TH STREET AND 9TH ~~7TH~~ STREET, CONTAINING 1,050 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 13453).

By voice vote, the Amendment passed

This item as Amended was sent to **Old Business**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 1

For: Brent Ackerson; Madonna Flood; Dan Johnson; Glen Stuckel; Kelly Downard; Barbara Shanklin

Against: (None)

Abstain: (None)

Absent: Jon Ackerson

**\*The following three items were discussed together but voted on separately. All are requests by St. Stephens Church**

**O-66-03-10 AN ORDINANCE CLOSING AN UNNAMED 15-FOOT-WIDE ALLEY, SAID ALLEY BEING LOCATED BETWEEN AND PARALLEL TO WEST BRECKINRIDGE STREET AND GARLAND STREET, RUNNING APPROXIMATELY 124.0 FEET BETWEEN 15TH STREET AND 16TH STREET, CONTAINING 0.13 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12678).**

**Status:**-In-Committee

**Committee:**-Planning/Zoning, Land Design & Development

**Primary Sponsor:**-Jon Ackerson

Motion to Approve made by Glen Stuckel and seconded by Kelly Downard.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on March 4, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. A power point presentation was given. The following were items of discussion and concern:

- Request by St. Stephens Church
- Closed to provide contiguous development for the Church
  - New Sanctuary and parking lots
- Respective Agencies required that if easements or relocations are necessary they would be at the expense of the Applicant at the time of development
- Any development proposal of the size and scope that is being contemplated for the church will be required to have a Category 3 review

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 1

For: Brent Ackerson; Madonna Flood; Dan Johnson; Glen Stuckel; Kelly Downard; Barbara Shanklin

Against: (None)

Abstain: (None)

Absent: Jon Ackerson

**O-68-03-10 AN ORDINANCE CLOSING A PORTION OF KENTUCKY STREET, BEGINNING AT A POINT APPROXIMATELY 225 FEET EAST OF THE NORTHEAST INTERSECTION OF KENTUCKY STREET AND 16TH STREET, RUNNING EAST APPROXIMATELY 150.0 FEET, CONTAINING 0.17 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12679).**

**Status:**-In-Committee

**Committee:**-Planning/Zoning, Land Design & Development

**Primary Sponsor:**-Jon Ackerson

Motion to approve made by Kelly Downard and seconded by Glen Stuckel.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on March 4, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. A power point presentation was given.

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 1

For: Brent Ackerson; Madonna Flood; Dan Johnson; Glen Stuckel; Kelly Downard; Barbara Shanklin

Against: (None)

Abstain: (None)

Absent: Jon Ackerson

**O-69-03-10 AN ORDINANCE CLOSING AN UNNAMED 15-FOOT-WIDE ALLEY, BEGINNING AT A POINT APPROXIMATELY 150 FEET SOUTH OF THE SOUTHEAST INTERSECTION OF KENTUCKY STREET AND**

**16TH STREET, RUNNING EAST APPROXIMATELY 369.5 FEET, CONTAINING 0.13 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12868).**

**Status:**-In-Committee

**Committee:**-Planning/Zoning, Land Design & Development

**Primary Sponsor:**-Jon Ackerson

Motion to approve made by Kelly Downard and seconded by Glen Stuckel.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on March 4, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Tandy's District. A power point presentation was given.

This item was sent to the **Consent Calendar**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 1

For: Brent Ackerson; Madonna Flood; Dan Johnson; Glen Stuckel; Kelly Downard; Barbara Shanklin

Against: (None)

Abstain: (None)

Absent: Jon Ackerson

**O-64-03-10 AN ORDINANCE CHANGING THE ZONING FROM EZ-1, ENTERPRISE ZONE TO M-3, INDUSTRIAL ON PROPERTY LOCATED AT 7200, 7210, AND 7210-R GRADE LANE, CONTAINING 16.0 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 13103).**

**Status:**-In-Committee

**Committee:**-Planning/Zoning, Land Design & Development

**Primary Sponsor:**-Jon Ackerson

Motion to approve made by Kelly Downard and seconded by Madonna Flood.

**Discussion:** Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on March 4, 2010. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Flood's District. A power point presentation was given. The following were items of discussion and concern:

- Purpose is to expand operations
- Proposed addition of an office building
- Conditional Use Permit approved to permit a junkyard and scrap metal processing facility and auctions of inoperable vehicles on the property
- Maintaining Fire Lane Access
- Roadway improvements
- Landscaping
- Pedestrian Access
  - If sidewalks are constructed along the portion of Grade Lane adjacent to this property, a clearly defined safe pedestrian access will be provided by the owner of the property from the public sidewalk through off street parking to building entrances

Motion to Amend by adding the following Binding Element made by Madonna Flood and seconded by Glen Stuckel.

- 10. The applicant shall install and maintain in functional condition an irrigation system to serve the landscape buffer area along Grade Lane, as shown on the Detailed District Development Plan and Conditional Use Plan prepared by Gresham Smith and Partners, presented and approved at the March 4, 2010 Planning Commission public hearing.

By voice vote, the Amendment passed.

This item as Amended was sent to the **Old Business**.

VOTING RESULTS: For: 6; Against: 0; Abstain: 0; Absent: 1

For: Brent Ackerson; Madonna Flood; Dan Johnson; Glen Stuckel; Kelly Downard; Barbara Shanklin  
Against: (None)  
Abstain: (None)  
Absent: Jon Ackerson

**O-8-01-10 AN ORDINANCE AMENDING CHAPTERS 1, 2, 4 AND 8 OF THE LAND DEVELOPMENT CODE PERTAINING TO SIGNS (CASE NO. 8503). (May 19, 2010)**

**Status:**-In Committee - Tabled  
**Committee:**-Planning/Zoning, Land Design & Development  
**Primary Sponsor:**-Tom Owen

**Discussion:** This item remained **Tabled**.

**O-33-02-10 AN ORDINANCE RELATING TO USE OF PORTABLE STORAGE UNITS AND DUMPSTERS. (August 11, 2010)**

**Status:**-In-Committee - Tabled  
**Committee:**-Planning/Zoning, Land Design & Development  
**Primary Sponsor:**-Brent Ackerson

**Discussion:** This item remained **Tabled**.

**O-176-10-09 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (LMCO) RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT HEARINGS. (Re-Introduced March 11, 2010) (September 11, 2010)**

**Status:**-In Committee - Tabled  
**Committee:**-Planning/Zoning, Land Design & Development  
**Primary Sponsor:**-James Peden

**Discussion:** This item remained **Tabled**.

Motion to adjourn made by Glen Stuckel. Without objection, the meeting adjourned at 2:30 P.M.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on April 15, 2010.**

**KQG**